



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: WWW.DPR.DELAWARE.GOV

PUBLIC MEETING MINUTES:	DELAWARE REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Thursday, May 9, 2013 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , Second Floor of the Cannon Building
MINUTES FOR APPROVAL	June 13, 2013

MEMBERS PRESENT

Christopher J. Whitfield, Professional Member, Chairman
Michael Harrington, Sr., Professional Member, Vice Chairman
Vincent M. White, Professional Member
Ricky H. Allamong, Professional Member
Gilbert Emory, Public Member
James C. Brannon, Jr., Public Member
Patricia O'Brien, Public Member

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Kelly, Deputy Attorney General
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

Andrew Staton, Professional Member, Secretary
Joseph F. McCann, Public Member

ALSO PRESENT

Danielle Benson, REC Education Committee
Sherrill Fulton, Re/Max Eagle Realty

CALL TO ORDER

Mr. Whitfield called the meeting to order at 9:05 a.m.

REVIEW OF MINUTES

Mr. Allamong made a motion, seconded by Ms. O'Brien, to approve the minutes of the meeting held on April 11, 2013. By unanimous vote, the motion carried.

NEW BUSINESS

Education Committee Report

Danielle Benson addressed the Commission regarding the Committee's education approvals. Mr. White addressed the Commission about the planned Information Workshop for course providers. Mr. White advised that Ms. Williams would be working on the arrangements with Ms. Wagner to see if the workshop could be held after the Commission's Annual Seminar. Mr. White asked for the Commission's thoughts about a licensee taking 2 module 4's and using one in place of module 7. The Commission discussed this and said that they could do a rule change to implement this. This issue would go to the Subcommittee for further discussion. Another topic for the subcommittee was to re-visit the rule concerning brokers leaving offices without having a substitute broker in place.

Recommendation to Approve and Deny Course Providers, Instructor Applications and Student Requests as Noted

Mr. Allamong made a motion, seconded by Ms. O'Brien, to approve to the education approvals submitted to the Education Committee including the tentative outline for the Informational Workshop subject to the availability of renting a room. By unanimous vote, the motion carried.

Applications for Licensure

Ratification of Salesperson Applications

Mr. Allamong made a motion, seconded by Ms. O'Brien to ratify the following applications for salespersons:

Chet Keith, Keller Williams Realty, Christiana, DE
Jan Cort, Keller Williams Realty, Rehoboth Beach, DE
Carolyn Cole, Patterson Schwartz Real Estate, Dover, DE
Robert Holden, Newmark Knight Frank Smith Mack, Wilmington, DE
Joseph Hicks, Prudential, Fox & Roach, Realtors, Bear, DE
Thomas Protack, Delmarva Real Estate Services, Georgetown, DE
Jennifer Gonzalez, Patterson Schwartz, Greenville, DE
Israel Gonzalez, Patterson Schwartz, Greenville, DE
Shuchun Chen, Patterson Schwartz, Hockessin, DE
Mary Fitts, Patterson Schwartz, Greenville, DE
Dhraj Ratnani, Patterson Schwartz, Hockessin, DE
Julie Yakimowicz, Jack Lingo Realtor, Lewes, DE
Nancy Hagman, Exit Realty/The Tri-State Co., Dover, DE
Michael Tedesco, First Class Properties, Dover, DE
Sherry Mitchell, Indian River Land Company, Millsboro, DE
Danielle Miller, Patterson Schwartz, Hockessin, DE
Michael Gorman, Metro Commercial, Conshohocken, PA
Edwin Taylor, Long and Foster, Wilmington, DE

By unanimous vote, the motion carried.

Review of Salesperson Applications

The Commission reviewed the salesperson's application of Lori May. Mr. Whitfield made a motion, seconded by Mr. Brannon, to approve Ms. May's application. By unanimous vote, the motion carried.

The Commission reviewed the salesperson's application of Robert McVey III. Mr. Whitfield made a motion, seconded by Mr. Brannon, to grant a waiver of criminal history and approve Mr. McVey's application contingent on confirmation that Mr. McVey is not on probation. By unanimous vote, the motion carried.

The Commission reviewed the salesperson's application of Kimberly Kenworthy. Mr. Whitfield made a motion, seconded by Mr. Brannon, to approve Ms. Kenworthy's application. By unanimous vote, the motion carried.

Review of Broker and Associate Broker Applications

The Commission reviewed the associate broker's application of Jeffrey Shahan. Mr. Whitfield made a motion, seconded by Mr. Brannon, to approve Mr. Shahan's application. By unanimous vote, the motion carried.

The Commission reviewed the broker's application of Kenneth Enochs. Mr. Whitfield made a motion, seconded by Mr. Brannon, to approve Mr. Enochs' application. By unanimous vote, the motion carried.

The Commission reviewed the broker's application of Paul Handler. Mr. Whitfield made a motion, seconded by Mr. Brannon, to approve Mr. Handler's application. By unanimous vote, the motion carried.

The Commission reviewed the associate broker's application of Steve Altshuler. Mr. Whitfield made a motion, seconded by Mr. Brannon, to approve Mr. Altshuler's application. By unanimous vote, the motion carried.

The Commission reviewed the broker's application of Christopher Castagno. Mr. Whitfield made a motion, seconded by Mr. Brannon, to approve Mr. Castagno's application. By unanimous vote, the motion carried.

The Commission reviewed the broker's application of Stephanie Lehane. Mr. Allamong made a motion, seconded by Mr. Emory, to approve Ms. Lehane's application. By majority vote, the motion carried with Mr. Whitfield recusing.

Review of Applications for Reinstatement

The Commission reviewed the application of Dougal Beatson for reinstatement of a salesperson's license. Mr. White made a motion, seconded by Mr. Brannon, to approve Mr. Beatson's reinstatement application upon successful passing of the Delaware State Exam. By majority vote, the motion carried, with Mr. Allamong not voting.

The Commission reviewed the application of Teresa Dalto for reinstatement of a salesperson's license. Mr. White made a motion, seconded by Mr. Brannon to approve Ms. Dalto's reinstatement application upon successful passing of the Delaware State Exam and the National Exam. By majority vote, the motion carried, with Mr. Allamong not voting.

The Commission reviewed the application of George Yaksic for reinstatement of a salesperson's license. Mr. White made a motion, seconded by Mr. Brannon, to approve Mr. Yaksic's reinstatement application. By majority vote, the motion carried, with Mr. Allamong not voting.

The Commission reviewed the application of Jessica Stiner for reinstatement of a salesperson's license. Mr. White made a motion, seconded by Mr. Brannon, to approve Ms. Stiner's reinstatement application upon successful passing of the Delaware State Exam. By majority vote, the motion carried, with Mr. Allamong not voting.

The Commission reviewed the application of Benjamin Juan for reinstatement of a salesperson's license. Mr. White made a motion, seconded by Mr. Brannon, to approve Mr. Juan's reinstatement application upon successful passing of the Delaware State Exam and the National Exam. By majority vote, the motion carried, with Mr. Allamong not voting.

Review of Applications for New Office

The Commission reviewed the application of Active Adults Realty for a new office. Mr. Allamong made a motion, seconded by Mr. Harrington, to approve this new office application. By unanimous vote, the motion carried.

The Commission reviewed the application of PRS Real Estate Group for a new office. Mr. Allamong made a motion, seconded by Mr. Harrington, to approve this new office application contingent upon receipt from Mr. Stitik of transfers for all existing salespersons or proof that there is a new broker of record taking over the old office. By unanimous vote, the motion carried.

The Commission reviewed the application of Gary J. Kauffman Premier Real Estate Outfitters for a new office. Mr. Allamong made a motion, seconded by Mr. Harrington, to contingent approve this new office application after the Commission office receives a separate escrow account. By unanimous vote, the motion carried.

Status of Complaints

Complaint No. 02-13-12 – Closed

Complaint No. 02-14-12 – Closed

Complaint No. 02-09-13 – Closed

Complaint No. 02-11-13 – Assigned to Mr. White

Complaint No. 02-12-13 – Assigned to Mr. Whitfield

Complaint No. 02-13-13 – Assigned to Mr. Staton

Complaint No. 02-14-13 – Assigned to Mr. Harrington

Complaint No. 02-16-13 – Assigned to Mr. Harrington

Review Request to lift Probation – Dawn Daniels

The Commission reviewed the request to lift probation for Dawn Daniels. Mr. Allamong made a motion, seconded by Mr. Brannon, to grant the lifting of probation once Ms. Daniels produces a certificate for 3 hours of an Agency course that is an approved course in Delaware. This Agency course cannot be used for this renewal period. By unanimous vote, the motion carried.

OLD BUSINESS

Discussion: Out of State Transfers

The Commission discussed out of state transfers. Ms. Wagner asked how the office should respond to all the inquiries from salespersons wanting to transfer to an office in another state

while holding a Delaware license and selling real estate in DE. The Commission discussed § 2919 which states that a broker shall maintain an office approved by the Commission or the state of licensure. If that requirement is met, the salesperson can transfer to the out-of-state office without obtaining a license in that state. The salesperson may still need to comply with the other state's requirements, but this would not be within the Commission's jurisdiction.

Discussion: Rule 12.1 (Lapsed/Expired Licenses)

Ms. Kelly discussed with the Commission that after reading rule 12.1 again, she thinks that the way the Commission handles the CE when applicants that are reinstating and reactivating is correct. Each renewal period missed will need to be met with CE before reactivating or reinstating a license.

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

The Commission discussed escrow accounts. When an out of state office is approved then that office would need to show that there is an escrow account open in a bank that has a branch in Delaware.

Mr. Harrington asked Mr. White if he wanted to discuss with the Commission about his attendance at the Arellano Conference. Mr. White said that he will have a written report to hand out at the Commission's June meeting.

PUBLIC COMMENT

Ms. Sherrill Fulton asked to speak to the Commission about an application that the Commission approved during this meeting. When Ms. Fulton started speaking about the applicant in question the Commission's Deputy Attorney General advised that the Commission could not receive information about any matters pertaining to a pending complaint. Given the nature of Ms. Fulton's comments, the Commission could not take any information from her.

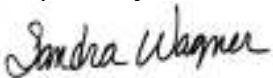
NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, June 13, 2013 at 9:00 a.m.

ADJOURNMENT

Mr. Harrington made a motion, seconded by Mr. Brannon, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 10:41 a.m.

Respectfully submitted,



Sandra Wagner
Administrative Specialist III

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.